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Amendments to the Drawings

The replacement sheet of drawings attached hereto as **Exhibit A** includes a new Figure 1.

The previously submitted drawing has been labeled as Figure 2 and labels have been added to each element in the figure.

Attachment: replacement sheet of drawings for Figure 1 and 2

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REMARKS

The application has been reviewed in light of the final Office Action dated March 22, 2006. Claims 9 and 10 were pending, with claims 1-8 having previously been canceled, without prejudice or disclaimer. By this Amendment, new claim 11 has been added, and claim 9 has been amended to clarify the claimed invention. It is submitted that no new matter has been introduced by the present amendment. Therefore, entry of this amendment is requested. Accordingly, claims 9-11 are now pending, with claim 9 being in independent form.

The drawings were objected to as purportedly failing to show the subject matter of claim 9. The title was objected to as purportedly not sufficiently descriptive.

A replacement sheet of drawings is attached hereto as **Exhibit A**, and includes a new Figure 1. The previously submitted figure has been labeled as Figure 2 and labels have been added to each element therein. The specification has been amended to reflect the labels used in Figures 1 and 2. Support for new Figure 1 can be found in the application as originally filed at, for example, page 4, last line through page 5, line 16. Applicant submits that no new matter has been introduced by the drawing amendment.

By this Amendment, the title has been amended.

Withdrawal of the objections to the drawings and to the title is respectfully requested.

Claims 9 and 10 were rejected under 35 U.S.C. §112, first paragraph, as allegedly based on a disclosure that is not enabling.

By this Amendment, claim 9 has been amended to clarify the claimed invention, and more specifically to recite that in the claimed subject matter, the recording power for formatting is a fraction of the recording power for recording determined as a result of the power calibration.

Withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully

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requested.

Claims 9 and 10 were rejected under 35 U.S.C. § 101 as purportedly directed to subject matter lacking utility.

Applicant has carefully considered the Examiner's comments, and respectfully disagree for at least the following reasons.

This application relates to the formatting an optical information recording medium. Formatting is typically performed to an optical information recording medium to add, for example, file structure information and other disk format (for example, UDF) information for properly accessing the recording medium. Applicant found that formatting operations require a smaller amount of recording power than the recording power for recording data on the optical information recording medium.

As discussed in the Background discussion of the application, when an optical disc is formatted at the full recording power of an optical disk drive of one manufacturer and then is subjected to overwriting by another drive with a lower recording power, the recording quality of the disk is impaired due to the effects of imperfect erasing thereof (and other effects), and a problem may occur that recorded data cannot be reproduced. Further, the recorded signal or jitter is not stabilized before recording is conducted a plurality of times.

In the subject matter of the claims of the present application, the recording power at the time of formatting can be set so as to be lower than the power with which a drive records, and important format information such as file structure information and other disk format information are formatted onto the optical information recording medium a plurality of times (that is, the power calibrations) in order to compare such information, whereby the reliability of recording signals can be improved.

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In view of the claim amendments and remarks hereinabove, Applicant submits that the application is now in condition for allowance. Accordingly, Applicant earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,


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